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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA  
6 RENO, NEVADA

7 UNITED STATES OF AMERICA, ) 3:05-cr-00085-ECR-RAM  
8 )  
9 Plaintiff, )  
10 vs. ) **Order**  
11 JOSE TRINIDAD TIRADO, aka Hector )  
12 Miguel Vazquez-Irizarry, )  
13 Defendant. )  
14 )

15 Defendant Jose Trinidad Tirado-Sillas filed a letter (#341)  
16 which appears to request re-calculation of his sentence. The letter  
17 states that according to his calculations, the release date "should  
18 be on the first week of January 2014" but the "institution has my  
19 release date three months after my calculation date which is on  
20 April 4th, 2014." He requests that this Court write a letter to the  
21 Federal Bureau of Prisons to take care of this matter.

22 The Bureau of Prisons' Designation and Sentence Computation  
23 Center ("DSCC") is solely responsible for calculating federal terms  
24 of imprisonment. Bureau of Prisons, Legal Resource Guide to the  
25 Federal Bureau of Prisons 12 (2008),  
26 [http://www.bop.gov/news/PDFs/legal\\_guide.pdf](http://www.bop.gov/news/PDFs/legal_guide.pdf); see also United States  
27 v. Wilson, 503 U.S. 329, (1992). "A prisoner challenging the  
28 calculation of a particular sentence does so by filing a Petition

1 for Writ of Habeas Corpus, pursuant to 28 U.S.C. § 2241, in the U.S.  
2 District Court possessing personal jurisdiction over his or her  
3 immediate custodian (Warden)." Legal Resource Guide to the Federal  
4 Bureau of Prisons 12. Prior to doing so, the inmate must exhaust  
5 the administrative remedy process. Id. 28 C.F.R. § 542.10 provides  
6 that the Administrative Remedy Program allows an inmate to seek  
7 formal review of an issue relating to any aspect of his/her own  
8 confinement. It does not appear that Defendant has exhausted his  
9 administrative remedies, nor is his request properly in the form of  
10 a petition for habeas corpus.

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12 **IT IS, THEREFORE, HEREBY ORDERED** that Defendant's request  
13 (#341) is **DENIED**.

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16 DATED: November 9, 2011.

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UNITED STATES DISTRICT JUDGE

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